

REMARKS/ARGUMENTS

Reconsideration of the application is requested.

Claims 1 and 4-12 remain in the application. Claim 1 has been amended. Claims 2-3 have been cancelled. Claims 8-12 are allowed.

In item 2 on pages 2-3 of the above-mentioned Office action, claims 1, 4, and 5 have been rejected as being anticipated by Zurcher et al. (US Pat. No. 6,344,413) under 35 U.S.C. § 102(e).

As will be explained below, it is believed that the claims were patentable over the cited art in their original form and the claims have, therefore, not been amended to overcome the references. However, the language of claim 1 has been amended in an effort to even more clearly define the invention of the instant application.

Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful.

Claim 1 calls for, inter alia:

providing a substrate having the structures to be removed on the substrate, the structures to be removed having an aspect ratio of greater than 2 and being formed from a material selected from the group consisting of noble metals, oxides of noble metals, and ferroelectric materials. (Emphasis added.)

The language of claim 1 of the instant application has been amended to clearly recite that the aspect ratio refers to the structures to be removed, not any other structure on the substrate. This is one of the most important aspects of the invention of the instant application, since residues with an aspect ratio of greater than 2 typically occur in the production of ferroelectric capacitors.

The Examiner has stated that Fig. 6 of Zurcher et al. shows that the structured electrode layers 70 and 80 have the width of greater than twice the thickness of the layers (see the second paragraph on page 5 of the Office action). However, those layers do not refer to the residues, namely the structures to be removed in the sense of the invention of the instant application.

Clearly, Zurcher et al. do not show "the structures to be removed having an aspect ratio of greater than 2 and being formed from a material selected from the group consisting of noble metals, oxides of noble metals, and ferroelectric materials", as recited in claim 1 of the instant application.

Claim 1 is, therefore, believed to be patentable over Zurcher et al. and since claims 4 and 5 are dependent on claim 1, they are believed to be patentable as well.

In item 4 on page 3 of the above-mentioned Office action, claim 6 has been rejected as being unpatentable over Zurcher et al. in view of Ismail et al. (US Pat. No. 5,955,759) under 35 U.S.C. § 103(a).

As discussed above, claim 1 is believed to be patentable over the art. Since claim 6 is ultimately dependent on claim 1, it is believed to be patentable as well.

In item 5 on page 4 of the above-mentioned Office action, claim 7 has been rejected as being unpatentable over Zurcher et al. in view of Paranjpe (US Pat. No. 5,434,107) under 35 U.S.C. § 103(a).

As discussed above, claim 1 is believed to be patentable over the art. Since claim 7 is dependent on claim 1, it is believed to be patentable as well.

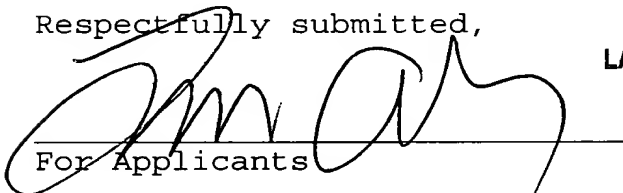
In view of the foregoing, reconsideration and allowance of claims 1 and 4-7 are solicited.

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In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate a telephone call so that, if possible, patentable language can be worked out. In the alternative, the entry of the amendment is requested as it is believed to place the application in better condition for appeal, without requiring extension of the field of search.

If an extension of time for this paper is required, petition for extension is herewith made. Please charge any fees which might be due with respect to Sections 1.16 and 1.17 to the Deposit Account of Lerner and Greenberg, P.A., No. 12-1099.

Respectfully submitted,


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